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10/707,374

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Jef Sutherland

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11/19/2009

SUGHRUE MION, PLLC

2100 Pennsylvania Avenue, N.W.

Washington, DC 20037

EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT

PAPER NUMBER

3628

NOTIFICATION DATE

DELIVERY MODE

11/19/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com

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Office Action Summary	Application No. 10/707,374	Applicant(s) SUTHERLAND, JEF	
	Examiner AKIBA K. ROBINSON BOYCE	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Due to communications filed 7/20/09, the following is a non-final office action. Claim 18 has been amended. Claims 19 and 20 have been added. Claims 1-20 are pending in this application and have been examined on the merits. The previous rejection has been adjusted to reflect claim amendments. Claims 1-20 are rejected as follows.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-20 are directed to a series of steps. In order for a series of steps to be considered a proper process under § 101, a claimed process must either: (1) tied to a particular machine or apparatus, or (2) transforms a particular article to a different state or thing. *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972). Thus, to qualify as patent eligible, these processes must positively recite the other statutory class to which it is tied (e.g., by identifying the apparatus the accomplishes the method steps), or positively recite the subject matter that is being transformed (e.g., by identifying the

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product or material that is changed to a different state). Claims 1-20 identify neither the apparatus performing the recited steps nor any transformation of underlying materials, and accordingly are directed to non-statutory subject matter.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-12, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill et al (US 2002/0099574 A1), and further in view of Panico (US 2003/0162536 A1), and further in view of Chase (US 2005/0098627 A1).

As per claims 1, 19, Cahill et al discloses:

storing respective camping pad attribute information for camping pads of a camping facility, ([0040], shows that an attribute may be the dimensions of the space to be reserved, and also shows that the vehicle (or item being parked) may come in a wide range of sizes, such as a car (big, medium, or compact), a truck (large or small), various mobile units (an ambulance or news broadcasting van), a trailer, where trailers are commonly used as camping vehicles, which suggests that the space is a camping pad, w/ [0044], storing in a space attribute database);

obtaining reservation request information concerning the camping facility..., ([0047], receiving a reservation request); and

providing an indication of one or more candidate camping pads based on the respective camping pad attribute information of the camping pads of the camping facility..., ([0052]-[0053], reserving the space having the requested attributes, and notifying the requesting party of the reservation).

Cahill et al does not disclose the following:

Storing camping vehicle attributes for the given camping vehicle/ storing camping vehicle attribute information for a given camping vehicle, but does disclose that the person requesting the reservation takes into account the attributes of the vehicle in terms of vehicle size when selecting a parking space since they must request attributes of the space as shown in [0040], thereby suggesting the storage of vehicle attribute data since this type of data must be known in order to determine which space attribute from the space attribute database should be selected.

However, Panico discloses:

Storing camping vehicle attributes for the given camping vehicle/storing camping vehicle attribute information for a given camping vehicle, (claim 15, lines 5-7, shows storage of vehicle attributes). Panico disclose this limitation in an analogous art for the purpose of showing that vehicle attributes are used to match parking space requests for parking space offers.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to store camping vehicle attribute information with the motivation of having means to determine a space with matching space attributes.

Neither Cahill et al nor Panico disclose wherein the camping pad attribute information includes information regarding the location and availability of at least one of water and sewer connections on the camping pad, however the combination of Cahill et al and Panico disclose the facilitation of a reservation for a camping facility, where camping vehicle attributes are taken into consideration as discussed above.

However, Chase discloses An automated check-in and check-out for a user needing rental space where the customer is then instructed to choose a category or subject for a rental, and in the example of the RV rental environment, this could range between RV pad selection, like concrete or ground and support services supplied to the RV Park where there may also be additional or sub-screens and categories as required depending upon the number of choices available, like number of days, size of RV, number of adults/children/pets, electrical hook up, water hookup, computer hookup, cable hookup, etc, as shown in [0040]. Also, in [0049], it is shown that the user is allowed to select the desired location for the RV pad, which also suggests that the location of the water connection is also an attribute of the camping pad since the selection of the water hook up relates to the RV pad, and in Chase, the water hook up can actually be included with the RV pad based on selection. It therefore would be obvious to combine the teachings of Cahill et al, Panico, and Chase to disclose wherein

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the camping pad attribute information includes information regarding the location and availability of at least one of water and sewer connections on the camping pad.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose wherein the camping pad attribute information includes information regarding the location and availability of at least one of water and sewer connections on the camping pad with the motivation of showing that water connections are included in the maintenance of trailer characteristics.

As per claims 2, 11, Cahill et al does not disclose the following:

Wherein the camping vehicle attribute information comprises one or more of: tip-out portion particulars wherein the tip-out portion particulars includes information on location and dimensions of the tip-out portions; location of connections for hook-ups on the camping vehicle; and tolerance for slopes; but does disclose end space with adjacent room in [0004], and that the person requesting the reservation takes into account the attributes of the vehicle in terms of vehicle size when selecting a parking space since they must request attributes of the dimension of the space to be reserved as shown in [0040], and the location within the parking area within the reserved parking space as shown in [0041], thereby suggesting the storage of vehicle attribute data since this type of data must be known in order to determine which space attribute from the space attribute database should be selected.

However, Panico discloses:

Wherein the camping vehicle attribute information comprises one or more of:

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tip-out portion particulars wherein the tip-out portion particulars includes information on location and dimensions of the tip-out portions; location of connections for hook-ups on the camping vehicle; and tolerance for slopes; ([0026], lines 6-9, shows vehicle attributes include vehicle geometry, and [0026], lines 8-11, shows position sensor that allows the determination of the geographic location of the unit). Panico disclose this limitation in an analogous art for the purpose of showing that vehicle geometry is used to match parking space requests for parking space offers.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for camping vehicle attribute information to comprise tip-out portion particulars wherein the tip-out portion particulars includes information on location and dimensions of the tip-out portions; location of connections for hook-ups on the camping vehicle; and tolerance for slopes; with the motivation of showing that the geometry resulting from accessories such as tip-out portion particulars/expandable portions of the camping vehicles can effect the attributes of the vehicle.

As per claim 3, Cahill et al discloses:

wherein the camping pad attribute information comprises one or more of:

pad access attributes, ([0004], space with short cargo hauling distance or [0041], location in relation to exits);

As per claim 4, Cahill et al discloses:

receiving a customer request for making a reservation at a camping facility, ([0047], receiving a reservation request);

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searching a camping institution database for information relating to the camping reservation, the database comprising camping pad attribute information of camping facilities belonging to the camping institution, ([0010], lines 30-33, shows availability status database used to determine the availability of spaces having the requested attributes);

and generating a camping reservation at the camping facility responsive to the customer request, ([0010], lines 35-39, reservation request accepted if the if space with requested attributes available, and space is reserved).

Cahill et al does not disclose the following:

camping vehicle attributes for the given camping vehicle.

But does disclose that the person requesting the reservation takes into account the attributes of the vehicle in terms of vehicle size when selecting a parking space since they must request attributes of the space as shown in [0040], thereby suggesting the incorporation of vehicle attribute data since this type of data must be known in order to determine which space attribute from the space attribute database should be selected.

However, Panico discloses:

camping vehicle attributes for the given camping vehicle, (claim 15, lines 5-7, shows storage of vehicle attributes). Panico disclose this limitation in an analogous art for the purpose of showing that vehicle attributes are used to match parking space requests for parking space offers.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate camping vehicle attribute information with the motivation of having means to determine a space with matching space attributes.

As per claim 5, Cahill et al discloses:

further comprising providing a user with alternative camping facility information when a reservation cannot be made according to the camping vehicle attribute information and the camping pad attribute information, ([0059], substitute alternate space).

As per claim 6, Cahill et al discloses:

further comprising generating one or more of promotional information, discounts, and coupons according to a user's account information, ([0071], discount).

As per claim 7, Cahill et al discloses:

wherein the camping vehicle attribute information comprises one or more of sewer connection information, water connection information and phone line connection information, ([0037], cell phone, land lines).

As per claim 8, Cahill et al discloses:

wherein the camping vehicle attribute information comprises camping vehicle attachment information relating to one or more of a boat, a trailer, and a motor vehicle, ([0040], shows that an attribute may be the dimensions of the space to be reserved, and also shows that the vehicle (or item being parked) may come in a wide range of sizes, such as a car (big, medium, or compact), a truck (large or small), various mobile units (an ambulance or news broadcasting van), a trailer,)

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As per claim 9, 10, Cahill et al does not specifically disclose the following, however does disclose the person requesting the reservation takes into account the attributes of the vehicle in terms of vehicle size when selecting a parking space since they must request attributes of the space as shown in [0040], thereby suggesting the storage of vehicle attribute data since this type of data must be known in order to determine which space attribute from the space attribute database should be selected.

However, Panico discloses:

wherein the camping vehicle attribute information comprises a make and model of the camping vehicle/ dimensions of the camping vehicle, [0026], make, model, geometry length and width). Panico discloses this limitation in an analogous art for the purpose of showing that the make, model and geometry of a vehicle is used to match space offers with space requests.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the camping vehicle attributes to comprise a make, model and dimensions of the camping vehicle with the motivation of determining the type of vehicle for accommodating it into a certain type of space.

As per claim 12, Cahill et al discloses:

wherein the camping vehicle attribute information comprises a date of arrival and a date of departure at the camping facility, ([0048], arrival of vehicle/when vehicle vacates space).

As per claim 14, Cahill et al discloses:

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wherein the camping vehicle attribute information comprises a location of a camping pad within the camping facility of a camping institution, ([0041], location within the parking area).

As per claims 15, 16 and 17, Cahill et al discloses:

accessing a website of a camping institution; accessing a reservation area of said website, ([0037], server's website is shown to maintain the availability status database, which is available during the reservation process);

acquiring reservation information for making a reservation at a camping facility, ([0003], computer with web interface can be used to request reservation, and used to access availability database which identifies each space by a unique ID number and contains the availability (either available or not available) for that space at a particular time, and the server determines if a space is available and reserves that space by ID number for the requesting party);

acquiring user accommodation information comprising information about user preferences at the camping facility, ([0041] preference by way of location);

searching a camping institution database containing camping pad attribute information regarding camping facilities of the camping institution, ([0010], lines 30-33, shows availability status database used to determine the availability of spaces having the requested attributes);

generating camping facility reservation information according to...the reservation information and the accommodation information/reserving a camping facility according to the...reservation information and the accommodation information, ([0010], lines 35-

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39, reservation request accepted if the if space with requested attributes available, and space is reserved);

acquiring payment information for payment of the camping facility reservation, ([0072], charge rate).

Cahill et al does not disclose the following:

camping vehicle attributes for the given camping vehicle.

But does disclose that the person requesting the reservation takes into account the attributes of the vehicle in terms of vehicle size when selecting a parking space since they must request attributes of the space as shown in [0040], thereby suggesting the incorporation of vehicle attribute data since this type of data must be known in order to determine which space attribute from the space attribute database should be selected.

However, Panico discloses:

camping vehicle attributes for the given camping vehicle, (claim 15, lines 5-7, shows storage of vehicle attributes). Panico disclose this limitation in an analogous art for the purpose of showing that vehicle attributes are used to match parking space requests for parking space offers.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate camping vehicle attribute information with the motivation of having means to determine a space with matching space attributes.

Neither Cahill et al nor Panico disclose wherein the camping pad attribute information includes information regarding the location and availability of at least one of

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water and sewer connections on the camping pad, however the combination of Cahill et al and Panico disclose the facilitation of a reservation for a camping facility, where camping vehicle attributes are taken into consideration as discussed above.

However, Chase discloses an automated check-in and check-out for a user needing rental space where the customer is then instructed to choose a category or subject for a rental, and in the example of the RV rental environment, this could range between RV pad selection, like concrete or ground and support services supplied to the RV Park where there may also be additional or sub-screens and categories as required depending upon the number of choices available, like number of days, size of RV, number of adults/children/pets, electrical hook up, water hookup, computer hookup, cable hookup, etc, as shown in [0040]. Also, in [0049], it is shown that the user is allowed to select the desired location for the RV pad, which also suggests that the location of the water connection is also an attribute of the camping pad since the selection of the water hook up relates to the RV pad, and in Chase, the water hook up can actually be included with the RV pad based on selection. It therefore would be obvious to combine the teachings of Cahill et al, Panico, and Chase to disclose wherein the camping pad attribute information includes information regarding the location and availability of at least one of water and sewer connections on the camping pad.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose wherein the camping pad attribute information includes information regarding the location and availability of at least one of water and sewer

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connections on the camping pad with the motivation of showing that water connections are included in the maintenance of trailer characteristics.

As per claim 18, Cahill et al discloses that one primary attribute may be the dimensions of the space to be reserved since the vehicle (or item being parked) may come in a wide range of sizes, which therefore suggest that the camping vehicle attribute information, and any other part of the camping vehicle that contain attributes such as the tip-out portions include information about dimensions.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose that the camping vehicle attribute information, and any other part of the camping vehicle that contains attributes such as the tip-out portions include information about dimensions with the motivation of showing that dimensions of camping vehicle parts are taken into consideration when reserving space for a certain sized camping vehicle.

Neither Cahill et al nor Panico disclose wherein the camping vehicle attribute information comprises tip-out portion particulars, which include information regarding location of the tip-out portions, however the combination of Cahill et al and Panico disclose the facilitation of a reservation for a camping facility, where camping vehicle attributes are taken into consideration as discussed above.

However, Chase discloses an automated check-in and check-out for a user needing rental space where the customer is then instructed to choose a category or subject for a rental, and in the example of the RV rental environment, this could range

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between RV pad selection, like concrete or ground and support services supplied to the RV Park where there may also be additional or sub-screens and categories as required depending upon the number of choices available, like number of days, size of RV, number of adults/children/pets, electrical hook up, water hookup, computer hookup, cable hookup, etc, as shown in [0040]. Also, in [0049], it is shown that the user is allowed to select the desired location for the RV pad, which also suggests that the location of the water connection is also an attribute of the camping pad since the selection of the water hook up relates to the RV pad, and in Chase, the water hook up can actually be included with the RV pad based on selection. It therefore would be obvious to combine the teachings of Cahill et al, Panico, and Chase to disclose wherein the camping vehicle attribute information comprises tip-out portion particulars, which include information regarding location of the tip-out portions.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose wherein the camping vehicle attribute information comprises tip-out portion particulars, which include information regarding location of the tip-out portions with the motivation of showing that location of camping vehicle parts are taken into consideration when reserving space for a certain sized camping vehicle.

As per claim 20, Neither Cahill et al nor Panico disclose wherein the camping pad attribute information includes information regarding the location and availability of utility connections on the camping pad, however the combination of Cahill et al and Panico disclose the facilitation of a reservation for a camping facility, where camping vehicle attributes are taken into consideration as discussed above.

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However, Chase discloses an automated check-in and check-out for a user needing rental space where the customer is then instructed to choose a category or subject for a rental, and in the example of the RV rental environment, this could range between RV pad selection, like concrete or ground and support services supplied to the RV Park where there may also be additional or sub-screens and categories as required depending upon the number of choices available, like number of days, size of RV, number of adults/children/pets, electrical hook up, water hookup, computer hookup, cable hookup, etc, as shown in [0040]. Also, in [0049], it is shown that the user is allowed to select the desired location for the RV pad, which also suggests that the location of the water connection is also an attribute of the camping pad since the selection of the water hook up relates to the RV pad, and in Chase, the water hook up can actually be included with the RV pad based on selection. It therefore would be obvious to combine the teachings of Cahill et al, Panico, and Chase to disclose wherein the camping pad attribute information includes information regarding the location and availability of utility connections on the camping pad.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose wherein the camping pad attribute information includes information regarding the location and availability of utility connections on the camping pad with the motivation of showing that water connections are included in the maintenance of trailer characteristics.

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6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cahill et al (US 2002/0099574 A1), and further in view of Panico (US 2003/0162536 A1), and further in view of Chase (US 2005/0098627 A1), and further in view of Inokuchi (US 2004/0080510 A1).

As per claim 13, neither Cahill et al nor Panico nor Chase disclose the following, but Cahill et al discloses a historical record for an individual driver, a vehicle or a fleet of vehicles in [0037].

However, Inokuchi discloses:

wherein the camping vehicle attribute information comprises the number of people who will be staying at the camping facility, ([0049], attributes classes include number of users along with information on recreation facilities). Inokuchi discloses this limitation in an analogous art for the purpose of showing that information about the number of users and a recreational facility can be assigned together in a display and related through positioning information.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the camping vehicle information to comprise the number of people who will be staying at the camping facility with the motivation of showing that the number of people can have an effect on the reservation.

Response to Arguments

7. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

•Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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A. R. B.

November 12, 2008

/Akiba K Robinson-Boyce/

Primary Examiner, Art Unit 3628